

The Honorable BRIAN D. LYNCH
Chapter 7 Proceeding
Tacoma, Washington

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In Re:

MAGGIE BOLAND,

Debtor.

Bankruptcy Case No.: 18-41253

TRUSTEE'S OBJECTION TO EXEMPTIONS

COMES NOW the Trustee, MARK D. WALDRON, by and through his attorney, ORLANDINI & WALDRON, P.S., and objects to the exemptions of property described below as claimed by Debtor(s) as follows:

PROPERTY CLAIMED EXEMPT

DESCRIPTION	STATUTE CITED	EXEMPTION CLAIMED	PETITION VALUE
Possible PI Claim	11 USC 522(d)(5) 11 USC 522(d)(11)(D)	\$12,580.00 \$23,675.00	Unknown

OBJECTIONS

The Trustee is objecting to the debtor's claimed exemption in order to preserve his rights to object when more information is known to the Trustee about the debtor's assets which are claimed to be exempt. Specifically, these objections are as follows:

1. To the extent that the debtor is attempting to claim an exemption in excess of the value or amount permitted either by federal or state law, the



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- 1 Trustee objects to the assertion of such an exemption, including but not
2 limited to originally filed exemptions and amended exemptions;
- 3 2. To the extent that the debtor has claimed "unknown" or "100%" value for
4 any item, the Trustee objects to the assertion of an exemption;
- 5 3. To the extent that the debtor is attempting to claim an exemption for
6 property for which no exemption is permitted under federal or state law,
7 the Trustee objects to the assertion of such an exemption;
- 8 4. To the extent that the debtor does not describe an asset or other item of
9 property for which an exemption is claimed with particularity, the Trustee
10 objects to the assertion of such an exemption;
- 11 5. To the extent that the actual value of an asset exceeds the valuation of
12 the asset by the debtor, the Trustee objects to the claim of any exemption
13 of any proceeds realized by the estate in excess of the amount claimed
14 and allowable under the applicable exemption statute;
- 15 6. To the extent that the debtor is claiming an exemption in a quantity of
16 items which exceed the limit allowed under applicable law, the Trustee
17 objects to the claim of exemption in an item over said limit;
- 18 7. To the extent that the debtor claims double the amount of any exemption
19 for which only one exemption is permitted under applicable statute, the
20 Trustee objects to the claim of exemption over the amount allowed for
21 such exemption;
- 22 8. To the extent the debtor failed to disclose any assets or concealed any
23 property, the Trustee objects to any claims of exemption by debtor in such
24 assets or property.



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9. Under §522(d)(11)(D) insofar as any recovery includes any pain or suffering or any components besides actual bodily injury, as described in the Bankruptcy Code or supporting case law, or to the extent that the debtors claim of exemption has exceeded \$20,000.00; and
 10. Under §522(d)(11)(E) insofar as any recover may exceed what would be reasonably necessary for the support of the debtor or dependants of the debtor, or for any amounts which do not represent “a payment in compensation of loss of future earnings”; and
 11. The Trustee objects to any exemption for the personal injury claim of the debtor or debtors because at this time there is insufficient information either in the schedules, or information provided by the debtors or their personal injury attorney to make a determination as to their entitlement to this exemption.
 12. To the extent the exemption was not filed in a timely manner.

DATED this 16th day of May, 2018.

Law Offices of Mark D. Waldron, PLLC

/s/ Mark D. Waldron
Mark D. Waldron (WSBA #9578)
Attorney for Trustee



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